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Attorneys for Plaintiff  
Core Optical Technologies, LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CORE OPTICAL TECHNOLOGIES,  
LLC,

Plaintiff,

v.

APPLE INC., a California corporation,  
EQUINIX, INC., a Delaware  
corporation, VERIZON  
COMMUNICATIONS, INC., a  
Delaware corporation, GOOGLE LLC, a  
Delaware limited liability company,  
AT&T, INC., a Delaware corporation,  
and BLOOMBERG L.P., a Delaware  
limited partnership.

Defendants.

CASE NO: 21-cv-03075-VKD

**STIPULATION FOR STAY OF  
PROCEEDINGS**

1 Plaintiff Core Optical Technologies, LLC (“Core”) and Defendants Apple Inc.,  
 2 Equinix, Inc., Verizon Communications, Inc.<sup>1</sup>, Google LLC, AT&T, Inc.<sup>2</sup>, Bloomberg  
 3 L.P. (together, the “Defendants”) (collectively, “the Parties”) hereby stipulate to, and  
 4 request, a stay of the proceedings in this case. The Parties believe that the requested  
 5 stay will advance judicial economy, by minimizing the use of resources on this case  
 6 while the underlying case between Core and Juniper (N.D. Cal. Case No. 21-cv-02428  
 7 (“the *Juniper* case”)) proceeds.

### 8 **I. BACKGROUND**

9 On November 12, 2019, Core sued Juniper for infringement of certain method  
 10 claims of Core’s U.S. Pat. No. 6,782,211 (“the ‘211 patent”). Juniper contends that any  
 11 liability for infringement of the ‘211 patent would be *de minimis*, or otherwise limited,  
 12 because the asserted claims are all method claims—which can only be infringed by  
 13 practicing the asserted methods—and the end users of the accused instrumentalities are  
 14 Juniper’s customers. While Core disputes Juniper’s premise (and while Juniper and the  
 15 Defendants dispute that there is any liability) Core sued the Defendants to ensure that  
 16 Core is fully compensated for any scope of infringement that may be found.

17 Core brought the instant case against the Defendants on April 27, 2021.  
 18 Subsequently, Core and the Defendants have discussed whether this case should be  
 19 stayed to promote judicial economy and conserve resources, while the underlying  
 20 *Juniper* case proceeds. The Parties have agreed to such a stay, which they now request.

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23 <sup>1</sup> Verizon Communications Inc. (erroneously sued as Verizon Communications, Inc.) is a holding  
 24 company and conducts no business with the public. By agreeing to this stipulation, Verizon  
 25 Communications Inc. does not consent to jurisdiction or venue in this Court, does not agree it can or  
 should respond to discovery in this matter, and expressly reserves all substantive and procedural  
 defenses, including but not limited to FRCP 12(b)(1)-(7).

26 <sup>2</sup> AT&T Inc. is a holding company, and conducts no business with the public. By agreeing to this  
 27 stipulation, AT&T Inc. does not consent to jurisdiction or venue in this Court, does not agree it can  
 28 or should respond to discovery in this matter, and expressly reserves all substantive and procedural  
 defenses, including but not limited to FRCP 12(b)(1)-(7).

## II. REQUEST FOR STAY

The Stipulating Parties hereby request that all proceedings between them in this case be STAYED and that the Parties be ordered to meet and confer and to jointly report to the Court regarding continuation of the stay and requested duration of the stay on or before the earlier of (i) May 31, 2022; or (ii) two weeks before the final pre-trial conference in the *Juniper* case. The Parties believe that such a stay is appropriate to conserve judicial and party resources while the *Juniper* case proceeds at least through discovery, claim construction, and dispositive motions. Juniper and the Defendants believe that a stay through trial is more appropriate. Core accuses the Defendants of infringing the patent-in-suit based on their purchase and use of Juniper's Accused Instrumentalities. Resolution of certain issues in the *Juniper* case could potentially streamline issues in this case. Thus, the Parties believe it is reasonable for the Court to stay proceedings between them at least until the earlier of May 31, 2022 or the two weeks before the final pre-trial conference in the underlying *Juniper* case, at which time the parties can revisit the stay.

The Parties further agree that, notwithstanding the stay, Core may serve the Defendants with a subpoena pursuant to Federal Rule of Civil Procedure 45. By entering into this stipulation for a stay, the Defendants are not waiving their right to otherwise object to the subpoenas, except that the entry of this stay shall not be used as a basis to refuse or object to the subpoena requests.

WHEREFORE, the Parties respectfully request that their requested stay be entered, and that all proceedings in this case, except as to any proceedings under Rule 45 in the underlying *Juniper* case, be STAYED, and that the Parties be ordered to meet and confer and to jointly report to the Court regarding continuation of the stay and requested duration of the stay on or before the earlier of: (i) May 31, 2022; or (ii) two weeks before the final pre-trial conference in the *Juniper* case.

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GlaserWeil

1 DATED: May 25, 2021

GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO LLP

2  
3 By: /s/Lawrence Hadley

4 LAWRENCE M. HADLEY  
5 STEPHEN E. UNDERWOOD  
6 Attorneys for Plaintiff  
Core Optical Technologies, LLC

7 DATED: May 25, 2021

O'MELVENY & MYERS LLP

8  
9 By: /s/ David S. Almeling

10 DAVID S. ALMELING  
11 AMY K. LIANG  
Attorneys for Defendant Google LLC

12 DATED: May 25, 2021

AT&T SERVICES, INC.

13  
14 By: /s/ Charles Evendorff

15 CHARLES EVENDORFF  
Attorneys for Defendant AT&T Inc.

16 DATED: May 25, 2021

ORRICK, HERRINGTON & SUTCLIFFE LLP

17  
18 By: /s/ Richard Martinelli

19 RICHARD MARTINELLI  
20 Attorneys for Defendant Equinix, Inc.

21 DATED: May 25, 2021

VERIZON COMMUNICATIONS INC.

22  
23 By: /s/ Michael Holden

24 MICHAEL HOLDEN  
25 Attorney for Defendant Verizon  
26 Communications Inc.  
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DATED: May 25, 2021

APPLE INC.

By: /s/ Michael Pieja

MICHAEL PIEJA

Attorney for Defendant Apple Inc.

DATED: May 25, 2021

BLOOMBERG L.P.

By: /s/ David Levine

DAVID LEVINE

Attorney for Defendant Bloomberg L.P.